

EXHIBIT D

KENNETH G. HANSEN November 7, 2007

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KENNETH G. HANSEN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DIANE L. KELLEY and KENNETH
HANSEN,

Plaintiffs,

-vs-

MICROSOFT CORPORATION, a
Washington Corporation,

Defendant.

No. C07-0475 MJP

Deposition of KENNETH G. HANSEN, taken
before MARGARET A. BACHNER, CSR, RMR, CRR, and Notary
Public, pursuant to the Federal Rules of Civil
Procedure for the United States District Courts
pertaining to the taking of depositions for the
purpose of discovery, at Suite 3800, One South
Dearborn Street, Chicago, Illinois, on the 7th day of
November, A.D. 2007, at 9:19 a.m.

1 KENNETH G. HANSEN

2 Q. Did you get any more formal education after
3 your one year of college?

4 A. Outside of the police academy, no.

5 Q. Do you have any more training than you've
6 just described in computers?

7 A. Yes. I am an A+ Certified Hardware
8 Technician. That's through CompTIA. It's an industry
9 certification. And throughout the years I took
10 specialized training with IBM, Compaq and
11 Hewlett-Packard for the purpose of doing warranty
12 repairs on their products.

13 Q. So, did you have a computer business for a
14 while?

15 A. It never really got off the ground, but
16 yes.

17 Q. How did you come to take these classes?

18 A. They were -- when I was working at a
19 dealership for IBM, Compaq and that, they would
20 routinely send me out to get certified on repairing
21 products as they came, you know, out on the market so
22 that I could do warranty repairs.

23 Q. Okay. When did you do that work?

24 A. This was over the course of the
25 mid-nineties.

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Q. Was this after you stopped being a police officer?

A. Yes.

Q. What did you do immediately after you ceased your police officer duties?

A. At the time they were beginning their -- the forest preserve was beginning its own IT department to separate themselves from the main county, and I was selected to head that department, at which time I left the police department and took over the systems administrator position.

Q. What sort of computers did you work with?

A. IBM.

Q. What software did they have?

A. OS2.

Q. How long did you do that?

A. I did that for one year.

Q. Which was when?

A. 1991, I believe.

Q. What did you do after that for work?

A. After doing that for a year I went over the road with my brother driving a semi truck, a change of pace.

Q. How long did you drive the truck?

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A. I did that for a year.

Q. What did you do next?

A. Then I went back into the computer field, going to work for a store called Computer Bay in Crystal Lake, Illinois.

Q. What's the nature of the store?

A. It was a small IBM, Compaq, Apple dealership, a small storefront with a service department.

Q. What were your duties?

A. I was in charge of servicing the IBM-based products as opposed to Apple.

Q. Did those computers often have Microsoft software installed?

A. Always.

Q. Microsoft operating systems?

A. (Nodding).

Q. Such as Windows?

A. Yes.

Q. When did you begin doing that?

A. That would be 1993, I believe.

Q. About how long did you do that?

A. Five years.

Q. During your work servicing computers, did

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you replace components?

A. Yes.

Q. You became skilled in that?

A. Yes.

Q. Did you replace computer memory?

A. Yes.

Q. Did you add additional computer memory?

A. Yes.

Q. Did you do anything else in servicing computers or working for that dealer that you haven't told me about?

A. When I originally was hired, I was on the sales floor, kind of earning my way to the service department.

Q. What did you sell?

A. IBM, Compaq computers.

Q. Are these the same kind of computers that a person could buy at most any computer store?

A. Yes.

Q. And you say you left there after about five years?

A. Yes.

Q. That would be about 1998?

A. Around that. I really need to pull up my

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resume to give you specific dates. I was recruited out of Computer Bay by a company called Arrow-Tech and was assigned to repair computers at Abbott Laboratories.

Q. Where is Arrow-Tech located?

A. Hoffman Estates.

Q. Is that a city in the Chicago suburbs?

A. Yes.

Q. Did you begin with Arrow-Tech about 1998?

A. Yes.

Q. How long did you work for Arrow-Tech?

A. I had a one-year contract with them.

Q. What did you do during that year?

A. Serviced on-site at Abbott Laboratories, PC repair.

Q. Where was Abbott Laboratories located?

A. North Chicago.

Q. What sort of computers did you work on?

A. IBM.

Q. Did they have Microsoft operating system software installed?

A. Yes, they did.

Q. What did you next do for work?

A. When the year contract was up, I had a

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2 A. My understanding is it fell short of
3 running anything other than the basic.

4 BY MR. CASPER:

5 Q. At the time you purchased it, your
6 understanding is that it was capable of running
7 Windows Vista Home Basic if you chose to upgrade?

8 A. I was unaware of the various levels of
9 Vista at that time. And to use a term, the bells and
10 whistles that Vista advertised, I was under the
11 impression this machine would in fact be capable of
12 doing that.

13 Q. When did you become aware of the different
14 levels, as you called them, of Vista?

15 A. As I recall, as it was being released in
16 January, if memory serves me.

17 Q. So, that would be around the end of January
18 2007?

19 A. Yes.

20 Q. So, am I correct in understanding your
21 testimony that at the time you purchased the laptop,
22 which was in December of 2006, you were not aware of
23 the different levels or editions of Windows Vista?

24 A. I was not aware of the features and
25 requirements as detailed as I am now.

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2 A. I recall a demo. I don't know if --
3 specifically if it was from Microsoft's site or not,
4 but I recall viewing a demo of all the bells and
5 whistles about Vista.

6 Q. Did you do that before or after you bought
7 your PC?

8 A. Before.

9 Q. What do you mean by the "bells and
10 whistles" of Vista?

11 A. The fancy way that the new screen -- that
12 the menus were transparent-type things. It's been so
13 long now, I can't remember a lot of them. But it
14 looked like it was going to be really a great
15 improvement. To find out later that those
16 improvements were in the advanced versions of Vista
17 didn't come to my attention till after I made this
18 purchase.

19 Q. Do you know what website had this demo?

20 A. No.

21 Q. Was it an animated demo in the sense that
22 it had video, or was it just static images?

23 A. It was a video.

24 Q. How long did it last?

25 A. A couple minutes.

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2 A. I had seen the logo in both the
3 advertisements on the internet as well as in the
4 store. More specifically, I became mostly aware of it
5 when I got the laptop and I opened it. I said, "Oh,
6 good. I did get the right one. It can handle Vista"
7 when I saw the sticker. That was my most memorable
8 point of it.

9 Q. Would it be correct to say that when you
10 bought the laptop you did not know whether it would
11 have a Windows Vista Capable sticker on it or not?

12 A. That was one of the features that I was
13 looking for. So, yes, I was aware that the one I was
14 ordering did in fact say it would handle Vista. And
15 then it was confirmed to me when I actually got it and
16 I opened it. I said, "Oh, good. It can. I didn't
17 make a mistake."

18 Q. Did you see the Windows Vista Capable
19 sticker posted on the Toshiba website?

20 A. I don't recall.

21 Q. Before you bought the laptop did you read
22 any other information that you haven't told me about
23 so far this morning about what the Windows Vista
24 Capable sticker meant?

25 A. No.

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2 that it specifically would come with it, but I was
3 disappointed when it wasn't there. Nobody to blame
4 but myself on that. I should have inquired.

5 Q. You mentioned that you saw the Windows
6 Vista Capable logo on-line during the time you were
7 shopping around for computers, correct?

8 A. I believe so, yeah.

9 Q. And I take it you must also, then, have
10 seen the Premium Ready designation that Microsoft had,
11 as well, is that right?

12 A. I have seen the Premium logo, but only
13 after I had purchased this. I just knew to look for
14 the Vista sticker. That was the extent of it at the
15 time that I was making this purchase. Again, I was
16 even vague about the different versions that were
17 coming out as they hadn't been released yet.

18 Q. So, am I correct that at the time you
19 bought the computer, you did not know which versions
20 of Windows Vista would run on this computer?

21 MR. TILDEN: Object to the form. Go ahead.

22 BY THE WITNESS:

23 A. I just looked for the Vista -- the word
24 "Vista," and went, okay. This is something that can
25 take Vista. That was really all I knew about it at

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2 STATE OF ILLINOIS)

)

3 COUNTY OF GRUNDY)

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5 The within and foregoing deposition of the
6 aforementioned witness was taken before MARGARET A.
7 BACHNER, CSR and Notary Public, at the place, date and
8 time aforementioned.

9 There were present during the taking of the
10 deposition the previously named counsel.

11 The said witness was first duly sworn and
12 was then examined upon oral interrogatories; the
13 questions and answers were taken down in shorthand by
14 the undersigned, acting as stenographer and Notary
15 Public; and the within and foregoing is a true,
16 accurate and complete record of all of the questions
17 asked of and answers made by the aforementioned
18 witness, at the time and place hereinabove referred
19 to.

20 The signature of the witness was not
21 waived, and the deposition was submitted, pursuant to
22 Rules 30(e) and 32(d) of the Rules of Civil Procedure
23 for the United States District Court, to the deponent
24 per copy of the attached letter.

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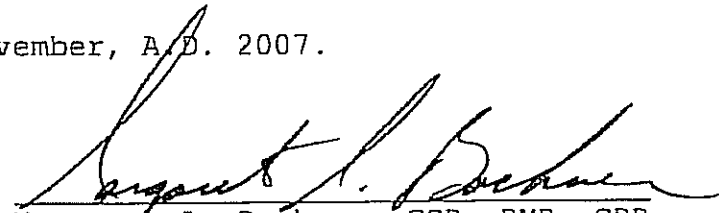
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1 The undersigned is not interested in the
2 within case, nor of kin or counsel to any of the
3 parties.

4 Witness my official signature and seal as
5 Notary Public in and for Grundy County, Illinois, on
6 this 9th day of November, A.D. 2007.

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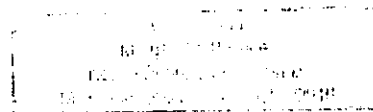
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Margaret A. Bachner, CSR, RMR, CRR
Illinois CSR No. 84-1481
Notary Public State of Illinois
My commission expires 6/22/2010

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